



09-16-04

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**INFORMATION DISCLOSURE
STATEMENT
UNDER 37 CFR § 1.97(D)**

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| Attorney Docket | SHIM-008 |
| First Named Inventor | MIYATA, TOSHIO |
| Application Number | 09/763,286 |
| Filing Date | August 28, 2001 |
| Group Art Unit | 1623 |
| Examiner Name | LEWIS, PATRICK T. |
| Title: | "CARBONYL-STRESS IMPROVING AGENT AND PERITONEAL DIALYSATE" |

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration. This is being filed after a Final Action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

A Form SB08 (substitute for form 1449) listing the references accompanies this paper. Applicants would appreciate the Examiner initialing and returning the form to indicate that the references have been reviewed and made of record.

Statement(s) under 37 CFR § 1.97(e):

- ☐ (1) That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☒ (2) That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one of the above references constitutes prior art to the present application within the meaning of 35 U.S.C. §102.

In accordance with the requirements of 37 C.F.R. §1.97(d) accompanying this paper is a certification as specified in 37 C.F.R. §1.97(e). Applicant(s) hereby petition for the consideration of this Information Disclosure Statement.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) to cover the petition accompanies this disclosure statement. The Office is hereby authorized to charge any additional fees which may be required by this paper or any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21, or to credit any overpayment, to our Deposit Account No. 50-0815, Order No. «REFERENCE» may be charged thereon.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date:

14/Sept/04

By:

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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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| | | | Examiner Name | LEWIS, PATRICK T. | |
| Sheet | 1 | of | 1 | Attorney Docket Number | SHIM-008 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------------------|--------------------------|-----------------------|--------------------------------------|---|--|--|
| Examiner Initials ¹ | Cite No. ¹ | U.S. Patent Documents | | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, columns, lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| | | 2003/0143215 | | Miyata | 07-31-2003 | |
| | | 4,171,283 | | Nakashima et al. | 10-16-1979 | |
| | | 5,868,936 | | Ofsthun et al. | 02-09-1999 | |
| | | 6,727,285 | | Haik, Jr. | 04-27-2004 | |
| | | 10/089,789 | | | | Proprietary material |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
|-----------------------------------|--------------------------|--------------------------|---------------------|--------------------------------------|---|--|--|
| Examiner Initials ¹ | Cite No. ¹ | Foreign Patent Documents | | | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | |
| | | | WO 96/02838 | | Lundstrom et al. | 02-01-1996 | |
| | | | | | | | |

| OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials ¹ | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

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